



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Thomas H. Majcher
Thomas H. Majcher, Reg/No. 31,119

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/632,741
Applicant : Brent Belding et al.
Filed : August 4, 2000
Art Unit : 3738
Examiner : Chattopadhyay, Urmi
Title : DETACHABLE SHEATH TO PROVIDE PRE-DEPLOYMENT STENT SECURITY AND ENHANCED PRECISION

Docket No.: : ACS-53498 (2106P)
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME CITED PATENT OR PUBLICATION UNDER 37 C.F.R. § 1.131

We, Brent Belding, Brian P. Cahill, Jeffrey T. Ellis, Richard J. Foust, Arkady Kokish, Florencia Lim, Chi Long, declare the following:

1. We are the co-inventors of the subject matter of the above-identified patent application.
2. We are informed that the Patent Office examiner has rejected the claims of the present application as being anticipated under 35 U.S.C. § 102(e) and obvious under 35 U.S.C. § 103 in view of U.S. Patent No. 6,432,130 to Hanson (the "Hanson patent"). We submit this declaration to help overcome these rejections.

3. We conceived of and completed our invention, disclosed by the present application, in the United States at a date prior to April 20, 2000, which is the filing date of the Hanson patent. We were diligent in reducing our invention to practice from at least the time of conception, to a time just prior to the filing date of the Hanson patent, up to the filing date of our application on August 4, 2000.

4. To establish an earlier date of conception through completion in the United States of our invention and our diligence, we submit the following document attached hereto as Exhibit A. Exhibit A contains 6 pages from an Invention Disclosure form. We disclosed features of our invention in this form, which form is then considered internally for a patent by our company. The form thus describes our invention during the above-mentioned period of time, and which invention is now claimed in the present application.

5. We declare that the attached Exhibit A is a true and accurate copy of the original document, except that the dates in Exhibit A have been redacted.

6. We hereby declare that all statements made herein of own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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